

NAME Jeanne Mundongo Manunga

PRISON IDENTIFICATION/BOOKING NO. BK#1300001408

ADDRESS OR PLACE OF CONFINEMENT 62 Civic Center plaza, Santa Ana

Note: If represented by an attorney, provide name, address & telephone number. It is your responsibility to notify the Clerk of Court in writing of any change of address.

FILED
2013 AUG 23 PM 3:09
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
SANTA ANA

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CASE NUMBER:

CV SACV 13-01308 AG (RZ)
To be supplied by the Clerk of the United States District Court

CR _____
Criminal case under which sentence was imposed.

FULL NAME (Include name under which you were convicted)

Petitioner,

Jeanne Mundongo Manunga
v.

Immigration Judge Lorraine J. RENOIR
NAME OF WARDEN, (or other authorized person having custody of
petitioner)

Respondent.

PETITION FOR WRIT OF HABEAS CORPUS BY
A PERSON IN FEDERAL CUSTODY
(28 U.S.C § 2241)

INSTRUCTIONS - READ CAREFULLY

This petition shall be legibly handwritten or typewritten, signed by the petitioner, under penalty of perjury. You must set forth CONCISELY the answer to each question in the proper space on the form. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury.

You must not attach separate pages to this petition except that ONE separate additional page is permitted in answering Question No.9.

Upon receipt of a fee of \$5.00 your petition will be filed if it is in proper order.

If you are seeking leave to proceed *in forma pauperis* (without paying the \$5.00 filing fee and other court costs), then you must also execute the declaration on the last page, setting forth information which establishes your inability to pay the fees and costs of the proceedings or to give security therefor. If you wish to proceed in forma pauperis, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution. If your prison account exceeds \$25.00, you must pay the filing fee as required by the rule of the district court.

When the petition is completed, the original and 3 copies, must be mailed to the Clerk of the United States District Court for the Central District of California, United States Courthouse, 312 North Spring Street, Los Angeles, California 90012, ATTENTION: Intake/Docket Section.

Only one sentence, conviction or parole matter may be challenged in a single petition. If you challenge more than one, you must do so by separate petitions.

PLEASE COMPLETE THE FOLLOWING: (Check appropriate number)

This petition concerns:

1. ☐ a conviction.
2. ☐ a sentence.
3. ☐ jail or prison conditions.
4. ☐ prison discipline.
5. ☐ a parole problem.
6. ☒ other.

PETITION

1. Place of detention 62 Civic Center plaza, Santa Ana, CA 92703
2. Name and location of court which imposed sentence immigration court of Los Angeles
300 North Los Angeles St. Los Angeles 90012
3. The indictment number or numbers (if known) upon which, and the offense or offenses for which, sentence was imposed:
a. in removal proceeding
b. _____
c. _____
4. The date upon which sentence was imposed and the terms of the sentence:
a. _____
b. _____
c. _____
5. Check whether a finding of guilty was made:
a. ☐ After a plea of guilty
b. ☐ After a plea of not guilty
c. ☐ After a plea of nolo contendere
6. If you were found guilty after a plea of not guilty, check whether that finding was made by:
a. ☐ a jury
b. ☐ a judge without a jury
7. Did you appeal from the judgment of conviction or the imposition of sentence? ☒ Yes ☐ No
8. If you did appeal, give the following information for each appeal:

CAUTION: If you are attacking a sentence imposed under a federal judgment, you must first file a direct appeal or motion under 28 U.S.C. §2255 in the federal court which entered the judgment.

- a. (1) Name of court Board of immigration appeal (B.I.A.)
(2) Result B.I.A. found the immigration in error by deporting me.
(3) Date of result June 28 - 2013
(4) Citation or number of opinion Case was remanded to immigration judge for the new decision. to present I still in Detention.

(5) Grounds raised (list each):

- (a) Denial of all relief application for cancellation of removal
- (b) Unlawful Detention, Denial of Asylum Application
- (c) Denial of withholding of removal
- (d) Denial of C.A.T conviction against torture

b. (1) Name of court immigration court of Los Angeles

(2) Result Deny

(3) Date of result March 12, 2013

(4) Citation or number of opinion B.I.A found her in error for Denying me

(5) Grounds raised (list each):

- (a) Denial of cancellation of removal on hardship
- (b) Denial of regular bond on October 31, 2012
- (c) Keeping me longer in detention with out court date
- (d) added wrong charge on my record

9. State CONCISELY every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. If necessary, attach a SINGLE page only behind this page.

CAUTION: If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date. You must state facts, not conclusions in support of your grounds. A rule of thumb to follow is - who did exactly what to violate your rights at what time and place.

a. Ground one: Denial of cancellation of removal for legal permanent resident, and for hardship

Supporting FACTS (tell your story BRIEFLY without citing cases or law): as a legal permanent resident who have Green Card for 5 year, living legally on United State for 7 year. before the conviction, I do qualify for relief, also since I do not have aggravated felony by definition, and my aggravated since of actual time in jail was six month I do qualify. Since I was admitted legally during admission in USA

b. Ground two: Asylum and withholding of removal. my asylum was granted year ago, cannot be denied now.

Supporting FACTS (tell your story BRIEFLY without citing cases or law): on withholding, since I do not have aggravated sentence of five year and I do not have serious crime of violence, she could not deny my withholding of removal.

- c. Ground three: CAT and hardship Application. I am my mother can give. I do qualities for hardship Application.

Supporting FACTS (tell your story BRIEFLY without citing cases or law): C.A.T. the law say for any one who is fear to go back to her home country or has be torture before. qualities for CAT. with I was tortured for 9 years before coming to united state, and I am a refuge from CONGO (DRC) in with Law of Human's right. said to, do not return any one from CONGO (DRC) back to country.

- d. Ground four: wrong charge, immigration judge deport me because of crime of Deceit (aggravated felony) of Deceit

Supporting FACTS (tell your story BRIEFLY without citing cases or law): On 2010 I was found guilty by jury on fals imprisonment charge, but I was not found guilty of Fraud or Deceit. no jury verdict was pronounce of Deceit and is not evidence supporting Deceit in with immigration judge removal me for. this charge is not true. even ninth circuit rejected that objection, restitution impose by sentencing judge, for removal, aggravated felony. this is wrong. she can't removal for this charge.

10. Have you filed previous petitions for habeas corpus, motions under Section 2255 of Title 28, United States Code, or any other applications, petitions or motions with respect to this conviction? ☐ Yes ☒ No

11. If your answer to Question No. 10 was yes, give the following information:

- a. (1) Name of Court Immigration Court
 (2) Nature of proceeding removal proceeding
 (3) Grounds raised Denial of regular bond. as a person who was admit legally during admission in the United state also a legal permanent resident, mandatory Detention is unconstitutional by the law. and unlawful Detention long term Detention. for someone who is a refugee.
 (4) Result Deny
 (5) Date of result October 17, 2012
 (6) Citation or number of any written opinions or orders entered pursuant to each disposition.
Denial of interpreter during immigration proceeding when the immigration judge is give people interpreter who as be in USA for 40 50 year.

- b. (1) Name of Court _____
 (2) Nature of proceeding _____
 (3) Grounds raised _____

 (4) Result _____
 (5) Date of result _____
 (6) Citation or number of any written opinions or orders entered pursuant to each disposition.

12. If you did not file a motion under Section 2255 of Title 28, United States Code, or if you filed such a motion and it was denied, state why your remedy by way of such motion is inadequate or ineffective to test the legality of your detention:

13. Are you presently represented by counsel? ☐ Yes ☒ No

If so, provide name, address and telephone number but I'll need one to represent me on this matter. I am requesting one.

Case name and court _____

14. If you are seeking leave to proceed in forma pauperis, have you completed the declaration setting forth the required information? ☐ Yes ☒ No

WHEREFORE, petitioner prays that the court grant petitioner relief to which he may be entitled in this proceeding,

 Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed on 08, 20, 2013

 Date

J. O. [Signature]

 Signature of Petitioner

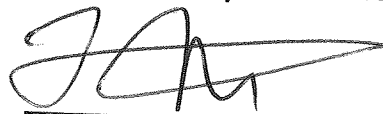
CERTIFICATION OF SERVICE

I hereby certify that on 20th day of August, 2013, a correct copy of MOTION OF HABEAS CORPUS in removal proceeding. Was served via certified mail to the address provided by

DEPUTY CLERK OF COURT OF CALIFORNIA
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION
411 West Fourth Street, suit 1053
SANTA ANA, CA 92701

LOS ANGELES, CA 90012

Respectfully Submitted,



Jeanne Mundongo Manuga
Booking No. 1300001408
62 Civic Center
Santa Ana, CA 92701